
HOUSE BILL 2457

State of Washington

60th Legislature

2008 Regular Session

By Representatives Appleton, Campbell, Seaquist, McCoy, Barlow, Hunt, Chase, Lantz, and Sells

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1 AN ACT Relating to forestry operations adjacent to residences;
2 amending RCW 76.09.020, 76.09.050, and 76.09.070; adding new sections
3 to chapter 76.09 RCW; adding a new section to chapter 84.33 RCW; and
4 creating new sections.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that the forest
7 products industry is historically and currently a vital aspect of the
8 state's economy and quality of life. Working forest lands not only
9 create direct and indirect jobs and economic growth in rural
10 communities, but they maintain vast tracts of land in a forested and
11 undeveloped state that can provide sustenance to a wide variety of
12 biologic life. With the historic accord known as the forest and fish
13 law now in place, working forest lands have taken the next steps that
14 help ensure that the state will enjoy a richness in the health of its
15 aquatic habitat and provide endangered salmonid species with a
16 significant chance for survival.

17 (2) The legislature further finds that working forestry is not the
18 only legitimate use of rural land. Washington has experienced
19 intensive population growth, and the population will continue to grow

1 at unprecedented rates into the future. As the population grows, the
2 demands of the state's citizens will include land for housing. These
3 demands have already brought residential development into areas
4 traditionally used for forestry and has lead to a historic loss of
5 working lands across Washington's landscape.

6 (3) It is not the intent of this act to favor one land use over the
7 other, but to recognize legitimate competing interests for a finite
8 amount of land. The legislature finds that as working lands find
9 themselves as neighbors to more and more private residences, conflicts
10 between the two land uses will continue to escalate. If simple steps
11 are taken by these new neighbors, conflict can be reduced to a minimum,
12 working forests can continue to thrive and provide the myriad of
13 benefits it is known to produce, and residential owners can be ensured
14 the peaceful enjoyment of their home that is the right of every
15 property owner and inherent in the American dream.

16 **Sec. 2.** RCW 76.09.020 and 2003 c 311 s 3 are each amended to read
17 as follows:

18 The definitions in this section apply throughout this chapter
19 unless the context clearly requires otherwise.

20 (1) "Adaptive management" means reliance on scientific methods to
21 test the results of actions taken so that the management and related
22 policy can be changed promptly and appropriately.

23 (2) "Appeals board" means the forest practices appeals board
24 created by RCW 76.09.210.

25 (3) "Aquatic resources" includes water quality, salmon, other
26 species of the vertebrate classes Cephalaspidomorphi and Osteichthyes
27 identified in the forests and fish report, the Columbia torrent
28 salamander (*Rhyacotriton kezeri*), the Cascade torrent salamander
29 (*Rhyacotriton cascadae*), the Olympic torrent salamander (*Rhyacotriton*
30 *olympian*), the Dunn's salamander (*Plethodon dunnii*), the Van Dyke's
31 salamander (*Plethodon vandyke*), the tailed frog (*Ascaphus truei*), and
32 their respective habitats.

33 (4) "Commissioner" means the commissioner of public lands.

34 (5) "Contiguous" means land adjoining or touching by common corner
35 or otherwise. Land having common ownership divided by a road or other
36 right-of-way shall be considered contiguous.

1 (6) "Conversion to a use other than commercial timber operation"
2 means a bona fide conversion to an active use which is incompatible
3 with timber growing and as may be defined by forest practices rules.

4 (7) "Department" means the department of natural resources.

5 (8) "Fish passage barrier" means any artificial instream structure
6 that impedes the free passage of fish.

7 (9) "Forest land" means all land which is capable of supporting a
8 merchantable stand of timber and is not being actively used for a use
9 which is incompatible with timber growing. Forest land does not
10 include agricultural land that is or was enrolled in the conservation
11 reserve enhancement program by contract if such agricultural land was
12 historically used for agricultural purposes and the landowner intends
13 to continue to use the land for agricultural purposes in the future.
14 As it applies to the operation of the road maintenance and abandonment
15 plan element of the forest practices rules on small forest landowners,
16 the term "forest land" excludes:

17 (a) Residential home sites, which may include up to five acres; and

18 (b) Cropfields, orchards, vineyards, pastures, feedlots, fish pens,
19 and the land on which appurtenances necessary to the production,
20 preparation, or sale of crops, fruit, dairy products, fish, and
21 livestock exist.

22 (10) "Forest landowner" means any person in actual control of
23 forest land, whether such control is based either on legal or equitable
24 title, or on any other interest entitling the holder to sell or
25 otherwise dispose of any or all of the timber on such land in any
26 manner. However, any lessee or other person in possession of forest
27 land without legal or equitable title to such land shall be excluded
28 from the definition of "forest landowner" unless such lessee or other
29 person has the right to sell or otherwise dispose of any or all of the
30 timber located on such forest land.

31 (11) "Forest practice" means any activity conducted on or directly
32 pertaining to forest land and relating to growing, harvesting, or
33 processing timber, including but not limited to:

34 (a) Road and trail construction;

35 (b) Harvesting, final and intermediate;

36 (c) Precommercial thinning;

37 (d) Reforestation;

38 (e) Fertilization;

1 (f) Prevention and suppression of diseases and insects;

2 (g) Salvage of trees; and

3 (h) Brush control.

4 "Forest practice" shall not include preparatory work such as tree
5 marking, surveying and road flagging, and removal or harvesting of
6 incidental vegetation from forest lands such as berries, ferns,
7 greenery, mistletoe, herbs, mushrooms, and other products which cannot
8 normally be expected to result in damage to forest soils, timber, or
9 public resources.

10 (12) "Forest practices rules" means any rules adopted pursuant to
11 RCW 76.09.040.

12 (13) "Forest road," as it applies to the operation of the road
13 maintenance and abandonment plan element of the forest practices rules
14 on small forest landowners, means a road or road segment that crosses
15 land that meets the definition of forest land, but excludes residential
16 access roads.

17 (14) "Forest trees" does not include hardwood trees cultivated by
18 agricultural methods in growing cycles shorter than fifteen years if
19 the trees were planted on land that was not in forest use immediately
20 before the trees were planted and before the land was prepared for
21 planting the trees. "Forest trees" includes Christmas trees, but does
22 not include Christmas trees that are cultivated by agricultural
23 methods, as that term is defined in RCW 84.33.035.

24 (15) "Forests and fish report" means the forests and fish report to
25 the board dated April 29, 1999.

26 (16) "Application" means the application required pursuant to RCW
27 76.09.050.

28 (17) "Operator" means any person engaging in forest practices
29 except an employee with wages as his or her sole compensation.

30 (18) "Person" means any individual, partnership, private, public,
31 or municipal corporation, county, the department or other state or
32 local governmental entity, or association of individuals of whatever
33 nature.

34 (19) "Public resources" means water, fish and wildlife, and in
35 addition shall mean capital improvements of the state or its political
36 subdivisions.

37 (20) "Residential interface forestry zone" means forest land that,
38 at the time a forest practice is conducted, is located within five

1 hundred yards of a shared common border with an individual parcel of
2 land five acres in size or smaller that contains a residential
3 structure not owned by the same person who owns the adjacent forest
4 land.

5 (21) "Small forest landowner" has the same meaning as defined in
6 RCW 76.09.450.

7 ~~((+21+))~~ (22) "Timber" means forest trees, standing or down, of a
8 commercial species, including Christmas trees. However, "timber" does
9 not include Christmas trees that are cultivated by agricultural
10 methods, as that term is defined in RCW 84.33.035.

11 ~~((+22+))~~ (23) "Timber owner" means any person having all or any
12 part of the legal interest in timber. Where such timber is subject to
13 a contract of sale, "timber owner" shall mean the contract purchaser.

14 ~~((+23+))~~ (24) "Board" means the forest practices board created in
15 RCW 76.09.030.

16 ~~((+24+))~~ (25) "Unconfined avulsing channel migration zone" means
17 the area within which the active channel of an unconfined avulsing
18 stream is prone to move and where the movement would result in a
19 potential near-term loss of riparian forest adjacent to the stream.
20 Sizeable islands with productive timber may exist within the zone.

21 ~~((+25+))~~ (26) "Unconfined avulsing stream" means generally fifth
22 order or larger waters that experience abrupt shifts in channel
23 location, creating a complex floodplain characterized by extensive
24 gravel bars, disturbance species of vegetation of variable age,
25 numerous side channels, wall-based channels, oxbow lakes, and wetland
26 complexes. Many of these streams have dikes and levees that may
27 temporarily or permanently restrict channel movement.

28 **Sec. 3.** RCW 76.09.050 and 2005 c 146 s 1003 are each amended to
29 read as follows:

30 (1) The board shall establish by rule which forest practices shall
31 be included within each of the following classes:

32 Class I: Minimal or specific forest practices that have no direct
33 potential for damaging a public resource and that may be conducted
34 without submitting an application or a notification except that when
35 the regulating authority is transferred to a local governmental entity,
36 those Class I forest practices that involve timber harvesting or road

1 construction within "urban growth areas," designated pursuant to
2 chapter 36.70A RCW, are processed as Class IV forest practices, but are
3 not subject to environmental review under chapter 43.21C RCW;

4 Class II: Forest practices which have a less than ordinary
5 potential for damaging a public resource that may be conducted without
6 submitting an application and may, except for forest land located in a
7 residential interface forestry zone, begin five calendar days, or such
8 lesser time as the department may determine, after written notification
9 by the operator, in the manner, content, and form as prescribed by the
10 department, is received by the department. (~~However, the~~) Class II
11 forest practices may not be conducted within a residential interface
12 forestry zone until thirty days have passed since the forest landowner
13 provided notification to the department and to all residential
14 landowners located adjacent to the residential interface forestry zone
15 via United States mail or hand delivery. Work inside or outside of a
16 residential interface forestry zone may not begin until all forest
17 practice fees required under RCW 76.09.065 have been received by the
18 department. Class II shall not include forest practices:

19 (a) On lands platted after January 1, 1960, as provided in chapter
20 58.17 RCW or on lands that have or are being converted to another use;

21 (b) Which require approvals under the provisions of the hydraulics
22 act, RCW 77.55.021;

23 (c) Within "shorelines of the state" as defined in RCW 90.58.030;

24 (d) Excluded from Class II by the board; or

25 (e) Including timber harvesting or road construction within "urban
26 growth areas," designated pursuant to chapter 36.70A RCW, which are
27 Class IV;

28 Class III: Forest practices other than those contained in Class I,
29 II, or IV. A Class III application must be approved or disapproved by
30 the department within thirty calendar days from the date the department
31 receives the application. However, the applicant may not begin work on
32 that forest practice until all forest practice fees required under RCW
33 76.09.065 have been received by the department, and for Class III
34 forest practices located within a residential interface forestry zone
35 only, until thirty days have passed since the forest landowner provided
36 notification of the department's approval to all residential landowners
37 located adjacent to the residential interface forestry zone via United
38 States mail or hand delivery;

1 Class IV: Forest practices other than those contained in Class I
2 or II: (a) On lands platted after January 1, 1960, as provided in
3 chapter 58.17 RCW, (b) on lands that have or are being converted to
4 another use, (c) on lands which, pursuant to RCW 76.09.070 as now or
5 hereafter amended, are not to be reforested because of the likelihood
6 of future conversion to urban development, (d) involving timber
7 harvesting or road construction on lands that are contained within
8 "urban growth areas," designated pursuant to chapter 36.70A RCW, except
9 where the forest landowner provides: (i) A written statement of intent
10 signed by the forest landowner not to convert to a use other than
11 commercial forest product operations for ten years, accompanied by
12 either a written forest management plan acceptable to the department or
13 documentation that the land is enrolled under the provisions of chapter
14 84.33 RCW; or (ii) a conversion option harvest plan approved by the
15 local governmental entity and submitted to the department as part of
16 the application, and/or (e) which have a potential for a substantial
17 impact on the environment and therefore require an evaluation by the
18 department as to whether or not a detailed statement must be prepared
19 pursuant to the state environmental policy act, chapter 43.21C RCW.
20 Such evaluation shall be made within ten days from the date the
21 department receives the application: PROVIDED, That nothing herein
22 shall be construed to prevent any local or regional governmental entity
23 from determining that a detailed statement must be prepared for an
24 action pursuant to a Class IV forest practice taken by that
25 governmental entity concerning the land on which forest practices will
26 be conducted. A Class IV application must be approved or disapproved
27 by the department within thirty calendar days from the date the
28 department receives the application, unless the department determines
29 that a detailed statement must be made, in which case the application
30 must be approved or disapproved by the department within sixty calendar
31 days from the date the department receives the application, unless the
32 commissioner of public lands, through the promulgation of a formal
33 order, determines that the process cannot be completed within such
34 period. However, the applicant may not begin work on that forest
35 practice until all forest practice fees required under RCW 76.09.065
36 have been received by the department, and for Class IV forest practices
37 located within a residential interface forestry zone only, until thirty
38 days have passed since the forest landowner provided notification of

1 the department's approval to all residential landowners located
2 adjacent to the residential interface forestry zone via United States
3 mail or hand delivery.

4 Forest practices under Classes I, II, and III are exempt from the
5 requirements for preparation of a detailed statement under the state
6 environmental policy act.

7 (2) Except for those forest practices being regulated by local
8 governmental entities as provided elsewhere in this chapter, no Class
9 II, Class III, or Class IV forest practice shall be commenced or
10 continued after January 1, 1975, unless the department has received a
11 notification with regard to a Class II forest practice or approved an
12 application with regard to a Class III or Class IV forest practice
13 containing all information required by RCW 76.09.060 as now or
14 hereafter amended. However, in the event forest practices regulations
15 necessary for the scheduled implementation of this chapter and RCW
16 90.48.420 have not been adopted in time to meet such schedules, the
17 department shall have the authority to regulate forest practices and
18 approve applications on such terms and conditions consistent with this
19 chapter and RCW 90.48.420 and the purposes and policies of RCW
20 76.09.010 until applicable forest practices regulations are in effect.

21 (3) Except for those forest practices being regulated by local
22 governmental entities as provided elsewhere in this chapter, if a
23 notification or application is delivered in person to the department by
24 the operator or the operator's agent, the department shall immediately
25 provide a dated receipt thereof and, for applications affecting a
26 residential interface forestry zone only, mail notification of the
27 application to all residential landowners located adjacent to the
28 residential interface forestry zone via United States mail or hand
29 delivery. In all other cases, the department shall immediately mail a
30 dated receipt to the operator and, for applications affecting a
31 residential interface forestry zone only, mail notification of the
32 application to all residential landowners located adjacent to the
33 residential interface forestry zone via United States mail or hand
34 delivery.

35 (4) Except for those forest practices being regulated by local
36 governmental entities as provided elsewhere in this chapter or
37 occurring within a residential interface forestry zone, forest
38 practices shall be conducted in accordance with the forest practices

1 regulations, orders and directives as authorized by this chapter or the
2 forest practices regulations, and the terms and conditions of any
3 approved applications. For forest practices occurring within a
4 residential interface forestry zone, any regulations, orders, or
5 directives promulgated by the local government also apply to the forest
6 practice. Except when water quality will be affected, in instances
7 where the terms of this chapter are inconsistent with locally
8 promulgated regulations, the forest practice in question is governed by
9 the local regulation.

10 (5) Except for those forest practices being regulated by local
11 governmental entities as provided elsewhere in this chapter, the
12 department of natural resources shall notify the applicant in writing
13 of either its approval of the application or its disapproval of the
14 application and the specific manner in which the application fails to
15 comply with the provisions of this section or with the forest practices
16 regulations. Except as provided otherwise in this section, if the
17 department fails to either approve or disapprove an application or any
18 portion thereof within the applicable time limit, the application shall
19 be deemed approved and the operation may be commenced: PROVIDED, That
20 this provision shall not apply to applications which are neither
21 approved nor disapproved pursuant to the provisions of subsection (7)
22 of this section: PROVIDED, FURTHER, That if seasonal field conditions
23 prevent the department from being able to properly evaluate the
24 application, the department may issue an approval conditional upon
25 further review within sixty days: PROVIDED, FURTHER, That the
26 department shall have until April 1, 1975, to approve or disapprove an
27 application involving forest practices allowed to continue to April 1,
28 1975, under the provisions of subsection (2) of this section. Upon
29 receipt of any notification or any satisfactorily completed application
30 the department shall in any event no later than two business days after
31 such receipt transmit a copy to the departments of ecology and fish and
32 wildlife, and to the county, city, or town in whose jurisdiction the
33 forest practice is to be commenced. Any comments by such agencies
34 shall be directed to the department of natural resources.

35 (6) For those forest practices regulated by the board and the
36 department, if the county, city, or town believes that an application
37 is inconsistent with this chapter, the forest practices regulations, or

1 any local authority consistent with RCW 76.09.240 as now or hereafter
2 amended, it may so notify the department and the applicant, specifying
3 its objections.

4 (7) For those forest practices regulated by the board and the
5 department, the department shall not approve portions of applications
6 to which a county, city, or town objects if:

7 (a) The department receives written notice from the county, city,
8 or town of such objections within fourteen business days from the time
9 of transmittal of the application to the county, city, or town, or one
10 day before the department acts on the application, whichever is later;
11 and

12 (b) The objections relate to lands either:

13 (i) Platted after January 1, 1960, as provided in chapter 58.17
14 RCW; or

15 (ii) On lands that have or are being converted to another use.

16 The department shall either disapprove those portions of such
17 application or appeal the county, city, or town objections to the
18 appeals board. If the objections related to subparagraphs (b)(i) and
19 (ii) of this subsection are based on local authority consistent with
20 RCW 76.09.240 as now or hereafter amended, the department shall
21 disapprove the application until such time as the county, city, or town
22 consents to its approval or such disapproval is reversed on appeal.
23 The applicant shall be a party to all department appeals of county,
24 city, or town objections. Unless the county, city, or town either
25 consents or has waived its rights under this subsection, the department
26 shall not approve portions of an application affecting such lands until
27 the minimum time for county, city, or town objections has expired.

28 (8) For those forest practices regulated by the board and the
29 department, in addition to any rights under the above paragraph, the
30 county, city, or town may appeal any department approval of an
31 application with respect to any lands within its jurisdiction. The
32 appeals board may suspend the department's approval in whole or in part
33 pending such appeal where there exists potential for immediate and
34 material damage to a public resource.

35 (9) For those forest practices regulated by the board and the
36 department, appeals under this section shall be made to the appeals
37 board in the manner and time provided in RCW 76.09.220(8). In such

1 appeals there shall be no presumption of correctness of either the
2 county, city, or town or the department position.

3 (10) For those forest practices regulated by the board and the
4 department, the department shall, within four business days notify the
5 county, city, or town of all notifications, approvals, and disapprovals
6 of an application affecting lands within the county, city, or town,
7 except to the extent the county, city, or town has waived its right to
8 such notice.

9 (11) For those forest practices regulated by the board and the
10 department, a county, city, or town may waive in whole or in part its
11 rights under this section, and may withdraw or modify any such waiver,
12 at any time by written notice to the department.

13 (12) Notwithstanding subsections (2) through (5) of this section,
14 forest practices applications or notifications are not required for
15 exotic insect and disease control operations conducted in accordance
16 with RCW 76.09.060(8) where eradication can reasonably be expected.

17 NEW SECTION. **Sec. 4.** A new section is added to chapter 76.09 RCW
18 to read as follows:

19 The intent of the residential interface forestry zone notification
20 requirements in RCW 76.09.050 is for residential landowners who are
21 potentially affected by a forest practice to have notice and time to
22 assess the impact of the forest practice on their land, notify all
23 affected parties of any potential hazards, and provide an opportunity
24 for the landowner to express his or her concerns. The department shall
25 provide a forum by which affected residential landowners may express
26 their concerns, and serve as an intermediary between the residential
27 landowner and the forest landowner in an attempt to ease the concerns
28 of both parties.

29 **Sec. 5.** RCW 76.09.070 and 2007 c 106 s 4 are each amended to read
30 as follows:

31 (1) After the completion of a logging operation, satisfactory
32 reforestation, as defined by the rules and regulations promulgated by
33 the board, shall be completed within three years except for land
34 located within a residential interface forestry zone, where
35 satisfactory reforestation must be completed within one year. However,

1 for land located either inside or outside of a residential interface
2 forestry zone:

3 (a) A longer period may be authorized if seed or seedlings are not
4 available;

5 (b) A period of up to five years may be allowed where a natural
6 regeneration plan is approved by the department; and

7 (c) The department may identify low-productivity lands on which it
8 may allow for a period of up to ten years for natural regeneration.

9 (2)(a) Upon the completion of a reforestation operation a report on
10 such operation shall be filed with the department of natural resources.

11 (b) Within twelve months of receipt of such a report the department
12 shall inspect the reforestation operation, and shall determine either
13 that the reforestation operation has been properly completed or that
14 further reforestation and inspection is necessary.

15 (3) Satisfactory reforestation is the obligation of the owner of
16 the land as defined by forest practices regulations, except the owner
17 of perpetual rights to cut timber owned separately from the land is
18 responsible for satisfactory reforestation. The reforestation
19 obligation shall become the obligation of a new owner if the land or
20 perpetual timber rights are sold or otherwise transferred.

21 (4)(a) Prior to the sale or transfer of land or perpetual timber
22 rights subject to a reforestation obligation or to a notice of
23 conversion to a nonforestry use issued under RCW 76.09.060, the seller
24 shall notify the buyer of the existence and nature of the obligation
25 and the buyer shall sign a notice indicating the buyer's knowledge of
26 all obligations.

27 (b) The notice shall be on a form prepared by the department and
28 shall be sent to the department by the seller at the time of sale or
29 transfer of the land or perpetual timber rights.

30 (c) If the seller fails to notify the buyer about the reforestation
31 obligation or the notice of conversion to a nonforestry use, the seller
32 shall pay the buyer's costs related to reforestation or mitigation
33 under RCW 76.09.470, including all legal costs which include reasonable
34 attorneys' fees, incurred by the buyer in enforcing the reforestation
35 obligation or mitigation requirements against the seller.

36 (d) Failure by the seller to send the required notice to the
37 department at the time of sale shall be prima facie evidence, in an
38 action by the buyer against the seller for costs related to

1 reforestation or mitigation, that the seller did not notify the buyer
2 of the reforestation obligation or potential mitigation requirements
3 prior to sale.

4 (5) The forest practices regulations may provide alternatives to or
5 limitations on the applicability of reforestation requirements with
6 respect to forest lands being converted in whole or in part to another
7 use which is compatible with timber growing. The forest practices
8 regulations may identify classifications and/or areas of forest land
9 that have the likelihood of future conversion to urban development
10 within a ten year period. The reforestation requirements may be
11 modified or eliminated on such lands. However, such identification
12 and/or such conversion to urban development must be consistent with any
13 local or regional land use plans or ordinances.

14 NEW SECTION. **Sec. 6.** A new section is added to chapter 76.09 RCW
15 to read as follows:

16 (1) Except as otherwise provided in this section, and in addition
17 to any other applicable requirements of this chapter, any forest
18 practices conducted within a residential interface forestry zone may
19 only be approved by the department or otherwise considered lawful if a
20 one hundred foot buffer of existing vegetation is maintained in the
21 residential interface forestry zone forest along any property lines
22 shared with an individual parcel of land five acres in size or smaller
23 that contains a residential structure not owned by the same person who
24 owns the adjacent forest land.

25 (2) The forest landowner must leave the first fifty feet from the
26 shared property line in an undisturbed state. The area of the buffer
27 located more than fifty feet, but less than seventy-five feet, from the
28 shared property line may only be harvested to fifty percent of the
29 preexisting forest density, and the area of the buffer located more
30 than seventy-five feet from the shared property line may only be
31 harvested to seventy-five percent of the preexisting forest density.

32 (3) The department may waive or modify the application of this
33 section for a particular forest landowner if the buffer distances
34 required by this section would affect more than twenty-five percent of
35 the forest landowner's contiguous ownership. All adjacent residential
36 landowners must be provided with notice and an opportunity to comment

1 before the department issues any waiver or modification of the
2 requirements of this section.

3 NEW SECTION. **Sec. 7.** A new section is added to chapter 76.09 RCW
4 to read as follows:

5 In addition to any other applicable requirements of this chapter,
6 the following requirements apply to any forest practices conducted
7 within a residential interface forestry zone forest:

8 (1) All work envisioned on the forest practices notification or
9 application must be completed as quickly and efficiently as reasonably
10 possible. The application or notification must include a timeline on
11 which the work will be completed. A violation of the timeline
12 represents a violation of the forest practices application and this
13 chapter.

14 (2) Forestry operations may only occur between the times of 7:00
15 a.m. and 5:00 p.m. on weekdays, and 9:00 a.m. and 5:00 p.m. on
16 Saturdays, Sundays, and legal holidays recognized in RCW 1.16.050.

17 (3) If burn piles are to be used to clear the land, all burn piles
18 must be located on the farthest, safe part of the harvest area from the
19 shared property line, and must be preceded with notification via United
20 States mail or hand delivery of potential burn days and times to all
21 residential property owners within a one mile area.

22 NEW SECTION. **Sec. 8.** A new section is added to chapter 84.33 RCW
23 to read as follows:

24 (1) The appraised value of any timber required to be left standing
25 in a residential interface forestry zone buffer by section 6 of this
26 act, that would otherwise be eligible for harvest by the landowner, is
27 available as a credit against taxes due under this chapter for the
28 harvest triggering the provisions of section 6 of this act.

29 (2) The amount of credit allowed under this section may not exceed
30 the amount of taxes due under this chapter.

31 NEW SECTION. **Sec. 9.** The code reviser is directed to put the
32 defined terms in RCW 76.09.020 in alphabetical order.

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